

THARRINGTON, SMITH & HARGROVE
ATTORNEYS AT LAW
RALEIGH, NORTH CAROLINA

CARLISLE W. HIGGINS
(1987-1990)

J. HAROLD THARRINGTON
WADE M. SMITH
ROGER W. SMITH
WADE H. HARGROVE
GEORGE T. ROOSTER, JR.
CARLYN G. POOLE
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DEBRA R. NICKELS
ROD MALONE
MARCUS W. TRATHEN
E. HARDY LEWIS
JAYE POWELL MEYER

RALEIGH OFFICE
209 FAYETTEVILLE STREET MALL
P.O. BOX 1151
RALEIGH, N.C. 27602

TELEPHONE
(919) 821-4711

TELECOPIER
(919) 829-1583

WASHINGTON OFFICE
2000 L STREET, N.W., SUITE 200
WASHINGTON, D.C. 20036

TELEPHONE
(202) 452-9271

November 22, 1993

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: MM Docket No. 93-249
RM-8330

Dear Mr. Caton:

Transmitted herewith on behalf of Great American Media, Ltd. I, licensee of Radio Stations WTAB(AM) and WYNA(FM), Tabor City, North Carolina, are an original and four (4) copies of Comments in support of the above-referenced Notice Of Proposed Rule Making to amend the Table of FM Allotments.

If any questions should arise during the course of your consideration of this matter, it is respectfully requested that you communicate with this office.

Very truly yours,

THARRINGTON, SMITH & HARGROVE


Wade H. Hargrove
Counsel to
Great American Media, Ltd. I

WHH/ks
Enclosure

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BEFORE THE

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C.

In the Matter of

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations

Calabash and Tabor City,
North Carolina

MM Docket No. 93-249
RM-8330

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

COMMENTS

Great American Media, Ltd. I ("Great American"), licensee of Radio Stations WTAB(AM) and WYNA(FM), Tabor City, North Carolina, by its attorneys, submits these Comments in support of the Commission's above-referenced Notice Of Proposed Rule Making to amend the Table of FM Allotments [47 C.F.R. §73.202(b)] by substituting new FM Channel 285C3 for Channel 285A, Tabor City, North Carolina, and reallocating new FM Channel 285C3 from Tabor City, North Carolina, to Calabash, North Carolina. The proposed change would modify the Table of FM Allotments as follows:

FM Channel No.

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Tabor City, North Carolina	285A	---
Calabash, North Carolina	---	285C3

The Commission's Notice Of Proposed Rule Making was issued in response to a petition filed by Great American pursuant to Section 1.420(i) to modify the Table of FM Allotments and to permit Station WYNA(FM) to operate on Channel 285C3 at Calabash, North Carolina.

I.
Reallotment To Calabash
Is To Be Preferred
Under Section 1.420(i) Of The Rules

The substitution of Channel 285C3 for Channel 285A and the reallotment of the new channel from Tabor City to Calabash is consistent with the Commission's decision in Modification Of FM And Television Station Licenses, 56 RR2d 1253 (1984) and Cheyenne, Wyoming, 62 FCC 2d 63, 38 RR2d 1665 (1976), and would result in an improved and more efficient arrangement of FM allotments. Calabash currently has no local aural transmission service, and the reallotment would bring the first local aural transmission service to that community. Tabor City presently has two local aural transmission services, WTAB(AM) and WYNA(FM), both of which are owned and operated by Great American. The proposed reallotment would, accordingly, leave Tabor City with WTAB(AM). Thus, under the proposed channel reallotment, Tabor City would continue to have one local aural transmission service and Calabash would acquire its first local aural transmission service.

A. Calabash Is A Community

According to the 1990 U.S. Census, Calabash, North Carolina, has a population of 1,210 persons. This represents an increase over the 1980 Census figure of 1,082 persons.

Calabash is an incorporated community worthy of a first local service. It has its own local government consisting of a board of commissioners, and is served by its own fire department. Calabash has its own post office and approximately 55 businesses. Consistent with Commission precedent, Calabash qualifies as a community for purposes of Section 307(b) of the Act. Implementation Of BC Docket No. 80-90 To Increase The Availability Of FM Broadcast Assignments, 67 RR2d 610 (1990).

Calabash is not located in or adjacent to an urbanized area.

B. The Allocation And Substitution Of Channel Proposal Is Preferential

As noted in the Petition For Rule Making, the proposed allotment of Channel 285C3 to Calabash would provide that community with its first local transmission service. Tabor City would retain its present local AM outlet, WTAB(AM), and would continue to receive a 1.0 Mv/m signal from WYNA(FM).

As noted in the Engineering Statement submitted earlier with the Petition For Rule Making (which Petition and Engineering Statement are hereby incorporated by reference), adoption of the proposal would maximize and improve the efficiency of Channel 285 in that Channel 285C3 at Calabash would extend service to 95,595 persons, or some 66,240 more persons than are presently served by Channel 285A at Tabor City. As further noted in the Petition's Engineering Statement, those in the area of lost service (which consists of a rural farm area) would continue to receive service from seven other FM facilities. The Petition's Engineering Statement further noted that the overall net gain of new service is nearly seven times greater than the loss.

C. The Proposal Is Consistent With Commission Precedent

An improved WYNA(FM) at Calabash is, clearly, a preferential arrangement for this channel allotment. See, Scotland Neck And Pinetops, North Carolina, 7 FCC Rcd 5113 (1992). In that case, Radio Station WWRT(FM) operating on Channel 238A, Scotland Neck, North Carolina, was relocated to specify operation on Channel 238C3 at Pinetops, North Carolina. Although Scotland Neck thereby lost its only local nighttime transmission service, it retained daytime-only AM service, and Pinetops, a community of 1,514, won its first local aural transmission service. Similarly, in Weiser And Fruitland, Idaho, 7 FCC Rcd 7358 (1992), Radio Station KWEI(FM) operating on Channel 257A, Weiser, Idaho, was relocated to specify operation on Channel 258C1 at Fruitland, Idaho. Fruitland received its first local transmission service, while Weiser continued to receive service from Radio Station KWEI(AM). The Commission has thus ordered amendments of the FM Table of Allotments under circumstances that are virtually identical to those set out in the original Petition For Rule Making and in these Comments. See also, Amendment Of Commission Rules Regarding Modification Of FM And TV Authorizations To Specify A New Community Of License ("Community Modifications"), 4 FCC Rcd 4870 (1989), clarified at 5 FCC Rcd 7094 (1990) ("Community Modifications II").

D. Additional Information Requested In The Rule Making Notice

In Paragraph 2 of the Notice Of Proposed Rule Making, the Commission requested that a description be provided of the number of reception services that currently serve the gain area or whether the gain area will include any underserved area. The attached

Technical Comments of Bromo Communications notes that the majority of the gain area receives five or more full-time reception services and that if the proposal is granted, a small portion of Bladen County, North Carolina, would receive its fifth full-time service.

II.
Conclusion

We, therefore, support the Commission's proposal to amend the FM Table of Allotments by substituting Channel 285C3 for Channel 285A at Tabor City, and reallocoting Channel 285C3 from Tabor City to Calabash, North Carolina, and permitting WYNA(FM) to modify its license to specify Calabash as its community of license.

Upon grant of the requested channel substitution and allotment, Great American will submit an application to the Commission requesting that the license of WYNA(FM) be modified to specify operation on Channel 285C3 at Calabash, North Carolina.

Dated: November 22, 1993

Respectfully submitted,

GREAT AMERICAN MEDIA, LTD. I


Wade H. Hargrove

Its Attorney

THARRINGTON, SMITH & HARGROVE
209 Fayetteville Street Mall
Post Office Box 1151
Raleigh, North Carolina 27602
Telephone: (919) 821-4711

[c:curtis/ks]

TECHNICAL COMMENTS
MM DOCKET #93-249
GREAT AMERICAN MEDIA LTD I
ALLOT CHANNEL 285C3
CALABASH, NORTH CAROLINA
November 1993

Technical Exhibit
TE-1

Bromo Communications, Inc.
P.O. Box 21760 - 1331 Ocean Boulevard, Suite 201
St. Simons Island, Georgia 31522
(912) 638-5608

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TECHNICAL COMMENTS
MM DOCKET #93-249
GREAT AMERICAN MEDIA LTD I
ALLOT CHANNEL 285C3
CALABASH, NORTH CAROLINA
November 1993

TECHNICAL STATEMENT

1. This technical statement and attached exhibits were prepared on behalf of Great American Media Ltd I ("Great American"), petitioner in MM Docket #93-249 and licensee of station WYNA, Channel 285A, Tabor City, North Carolina. Great American has requested that Channel 285C3 be allotted to Calabash, North Carolina, and that WYNA have its authorization modified to specify operation on Channel 285C3 at Calabash. Further, Great American requested the deletion of Channel 285A at Tabor City, North Carolina.

2. In the Commission's Notice of Proposed Rule Making, the Commission noted "...that petitioner does not describe the number of reception services that currently serve the gain area or whether the gain area will include any underserved areas." An analysis of the area which would theoretically receive service from Channel 285C3 was undertaken based on the proposed reference site for the channel listed in the notice to determine the availability of other services. 1

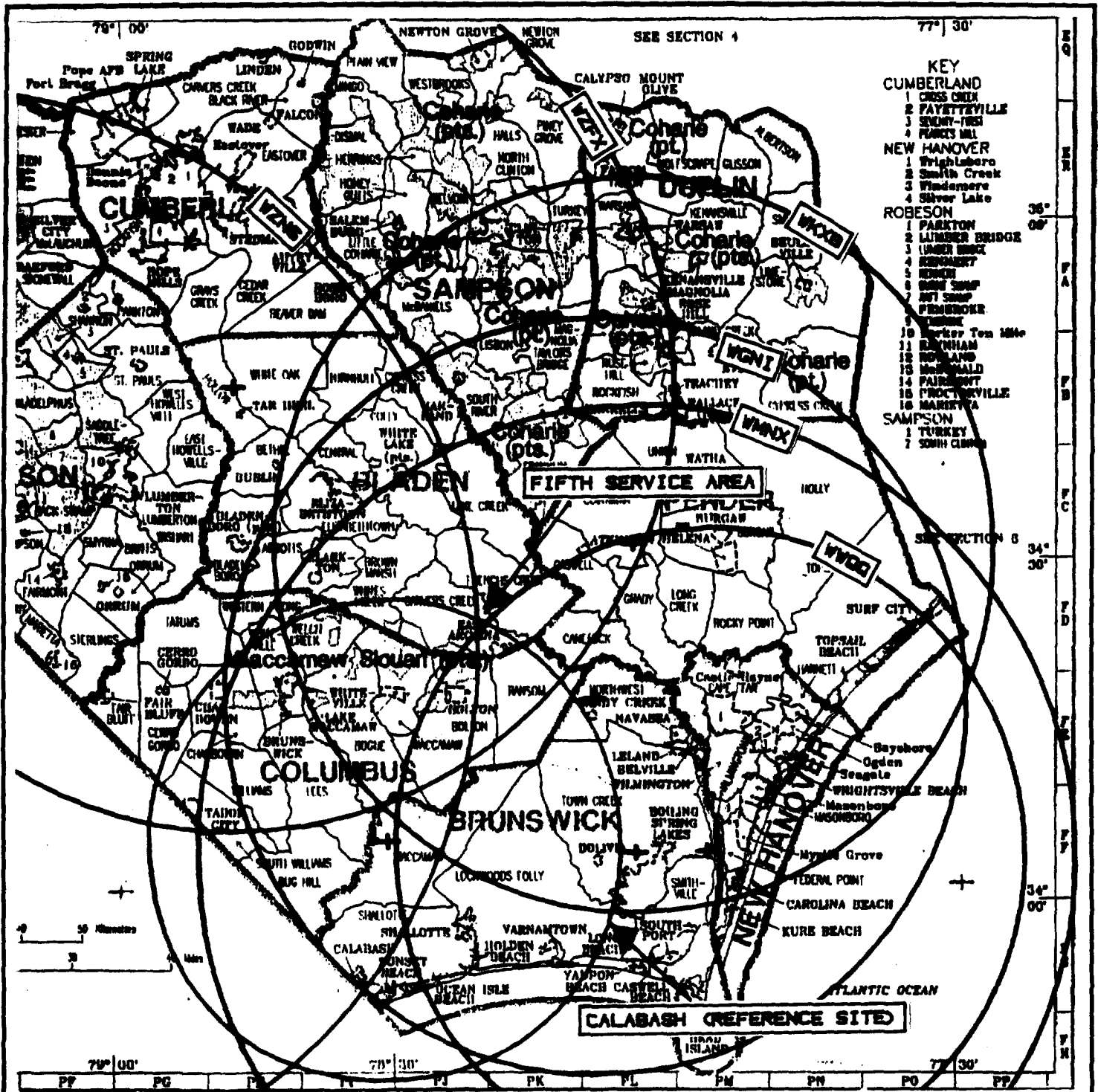
1) The coordinates are North Latitude 34° 04' 05" and West Longitude 78° 31' 30".

3. The study of other services available to the WYNA gain area reveals that the majority of the gain area receives five or more full-time services, however, an improved WYNA would provide fifth full-time service to a small portion of southern Bladen County, North Carolina. This area presently receives service from four other facilities: WGNL, Channel 274C1, Wilmington, North Carolina; WMNX, Channel 247C1, Wilmington, North Carolina; WKXB, Channel 260C1, Burgaw, North Carolina; and WZFX, Channel 256C1, Whiteville, North Carolina. The area in which WYNA, as improved, would provide fifth service is bounded by WWQQ, Channel 267C2, Wilmington, North Carolina, and WZNS, Channel 225C, Dillon, South Carolina. As demonstrated on Exhibit #1, WYNA would provide fifth full-time aural service to Carvers Creek division in Bladen County. Assuming uniform distribution of persons within the census division, 46 persons would receive their fifth full-time service. 2

4. There were no other commercial FM stations, non-commercial FM stations or AM stations (full-time) which provided service to this area of Bladen county. Therefore, adoption of the Great American request falls under the provisions of both first local service (to Calabash, North Carolina) and other public interest matters (the provision of fifth full-time service).

2) The area was determined by use of a polar planimeter.

5. The foregoing technical statement was prepared on behalf of Great American Media LTD I by Bromo Communications, Inc., its Technical Consultants. All of the information contained herein is true and accurate to the best of our belief and knowledge. All data relating to FM licensed facilities and proposals was extracted from the NTIA database, as updated October 28, 1993. All data relating to AM stations was extracted from the NTIA database, as updated September 24, 1993. We assume no liability for errors or omissions in either database which might be adverse to this questions contained herein.



AVAILABLE SERVICES STUDY

MAP IS A PORTION OF THE G-10 CENSUS MAP
FROM 1990 U.S. CENSUS OF NO. CAROLINA.

EXHIBIT #1

TECHNICAL COMMENTS
MM DOCKET #93-248
GREAT AMERICAN MEDIA LTD I
ALLOT CHANNEL 285C3
CALABASH, NO. CAROLINA
November 1993

BROMO
COMMUNICATIONS

St Simons Island, Georgia

BROADCAST
TECHNICAL CONSULTANTS

Washington, D.C.

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

State of Georgia)
St. Simons Island)
County of Glynn)

ss:

JEFFERSON G. BROCK being duly sworn, deposes and says that he is an officer of Bromo Communications, Inc. Bromo has been engaged by Great American Media Ltd I, licensee of Radio Station WYNA, to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 19th day of November, 1993.



Jefferson G. Brock
Affiant

Sworn to and subscribed before
me this the 19th day of November, 1993.



Notary Public, State of Georgia
My Commission Expires: September 8, 1995